

Congress of the United States
Washington, DC 20510

September 2, 2020

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
1301 Constitution Avenue, NW
Washington, DC 20460

Dear Administrator Wheeler,

We are in receipt of your letter of today, September 2, 2020, notifying the House and Senate Committees on Appropriations of a planned reorganization of the U.S. Environmental Protection Agency related to the cleanup of hardrock mining sites in the American West.

Hardrock mining has left a longstanding legacy on the land and its inhabitants, including indigenous people. We appreciate your interest in remediation and cleanup of hardrock mining and we look forward to evaluating your proposals for improving cleanup efforts, including any suggestions you may have to structure Agency operations to maximize operational efficiency and effectiveness.

We remind you that section 426 of Public Law 116-94, the Further Consolidated Appropriations Act, 2020, requires the advance approval by the House and Senate Appropriations Committees prior to the implementation of any Agency reorganizations or reprogrammings of funds. This reorganization is a significant departure from how hardrock mining remediation is currently handled at the Agency and therefore must first be evaluated by the Appropriations Committees.

As required by law and established by longstanding precedent of comity among our Committees and the Agency, we expect you to comply with the requirements laid out in the fiscal year 2020 appropriations for the Agency and to suspend the implementation of this reorganization pending our Committees' review and approval.

Sincerely,



Betty McCollum, Chair
House Appropriations Subcommittee on
Interior and Environment



Tom Udall, Ranking Member
Senate Appropriations Subcommittee on
Interior and Environment